

E-FILED - 5/7/08IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH CARROLL FITZHUGH, JR.,

No. C 07-1091 RMW (PR)

Petitioner,

ORDER GRANTING PETITIONER'S
REQUEST FOR ENLARGEMENT OF
TIME TO FILE OPPOSITION TO
RESPONDENT'S MOTION TO
DISMISS

v.

JOHN MARSHALL, Warden,

Respondent.

/ (Docket No. 14)

Petitioner, a state prisoner proceeding pro se, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The court issued an order to show cause to respondent as to why the petition should not be granted. Respondent has filed a motion to dismiss the petition as untimely. Petitioner has filed a request for an enlargement of time in which to file his opposition to respondent's motion to dismiss. The court concludes that petitioner has shown good cause for such extension. Accordingly, petitioner's request for an enlargement of time (docket no. 14) is GRANTED. Petitioner shall file his opposition, and serve a copy on respondent's counsel, **within thirty (30) days** of the date of this order. Respondent shall file a reply brief no later than **fifteen (15) days** after the date petitioner's opposition is filed.

IT IS SO ORDERED.

Dated: 5/5/08

 RONALD M. WHYTE
 United States District Judge